## JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-565-SY

PRO	State Paris Cent Appr Nam	: sh: er coordir roximate :	TION INFORMATION: Louisiana East Baton Rouge nates of site (latitude/longitudesize of area (parcel) reviewed, est waterway: Blackwater Bayershed:	including	NAD-83 30.61073 / -91.06055 cuplands: 63 acres.
JUR			AL DETERMINATION Desktop determination Site visit(s)		Date: Date(s): 3-6-07
	Juri	sdictiona	I Determination (JD):		
		Prelimina United St	ary JD - Based on available in		, there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
	$\boxtimes$		d JD – An approved JD is an a that apply:	ippealable	action (Reference 33 CFR part 331).
			are "navigable waters of the wed area. Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
			are "waters of the United Sta area. Approximate size of ju		lefined by 33 CFR part 328 and associated guidance) within the al area:
		There			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
BAS	A.	Waters of The prese	ence of waters that are subject	29 as "na to the ebb	vigable waters of the United States": and flow of the tide and/or are presently used, or have been used in at interstate or foreign commerce.
		(1) The p interstate (2) The p (3) The p sandflats, destruction (i) w (ii) f	resence of waters, which are of or foreign commerce, including resence of interstate waters in resence of other waters such a wetlands, sloughs, prairie poon of which could affect interselvich are or could be used by intermediate which fish or shellfish are	currently using all wat cluding in intrastat tholes, we tate commenterstate of could	e lakes, rivers, streams (including intermittent streams), mudflats, t meadows, playa lakes, or natural ponds, the use, degradation or herce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.
		(4) Import (5) The p (6) The p	undments of waters otherwise resence of a tributary to a wat resence of territorial seas.	defined as er identifi	
	Rati	onale for	the Basis of Jurisdictional L	etermina	tion (applies to any boxes checked above).

Lat	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul><li>Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li><li>Other (explain):</li></ul>
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Autural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): '95 & '98 aerial infrared  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

Late	Ordinary High Water Mark indicated by:    clear, natural line impressed on the bank
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.  Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
DATA F	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  State/Local wetland inventory maps:  TEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 95', 98', 04', 05', 06' I.R.  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: 2/27/07  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-918

PR	O	IF.	CT	I.	O	C	4	rı	O	N	IN	FO	R١	11	LΤ	ION	ŀ

State: Louisiana Parish: St. Tammany

Center coordinates of site (latitude/longitude): 30.2749 /-89.7655 Approximate size of area (parcel) reviewed, including uplands: 3.68 acres.

Name of nearest waterway:

Name of watershed:

#### JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)



Date:

Date(s): 2/27/07

#### Jurisdictional Determination (JD):

Preliminary JD - Based on available information, \( \subseteq \text{there appear to be (or) } \subseteq \text{there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

#### BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
  - (2) The presence of interstate waters including interstate wetlands.
  - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
  - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
  - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
  - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
  - (4) Impoundments of waters otherwise defined as waters of the US.
    - (5) The presence of a tributary to a water identified in (1) (4) above.
  - (6) The presence of territorial seas.
  - (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

#### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands on property are adjacent to an unnamed tributary. Part of the tributary system to an unnamed tidal tributary, a navigable water of the U.S.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-778-SG PROJECT LOCATION INFORMATION: Louisiana State: St. Charles Parish: Center coordinates of site (latitude/longitude): 30.0180 N / -90.4097 W Approximate size of area (parcel) reviewed, including uplands: Name of nearest waterway: Name of watershed: JURISDICTIONAL DETERMINATION Date: 03/15/2007 Completed: Desktop determination Site visit(s) Date(s):

Jurisdictional	Determination	(JD)	):
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	Preliminary JD - Based on available information, $\square$ there appear to be (or) $\square$ there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
$\boxtimes$	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

### BASIS OF JURISDICTIONAL DETERMINATION:

Jurisdiction.

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No

- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
- (2) The presence of interstate waters including interstate wetlands<sup>1</sup>.
- (2) The presence of interstate waters including interstate wettands.

  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
  - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
  - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
  - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

#### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

The water designated in blue on the map is tidal, the wetlands are contiguous with this water.

Basis2 2

	Ordinary High Water Mark indicated by:  Clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  shelving  other:  High Tide Line indicated by:  oil or scum line along shore objects  fine shell or debris deposits (foreshore)  physical markings/characteristics  tidal gages  other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
DATA R	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on:  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DIS	ST	RIC	T	OF	FI	CE:	New	Orlea	ns
FII	Æ	NI	M	RF.	R:	ΜV	N-20	07-10	08

FILE NU	MBER: MVN-2007-1008	
State Paris Cent App Nam		29.8655 /-90.1115 g uplands: 5.27 acres.
	ICTIONAL DETERMINATION  Inpleted: Desktop determination  Site visit(s)	Date: Date(s): 3/13/06
Juri	sdictional Determination (JD):	
		n, there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
<u></u>	Approved JD – An approved JD is an appealable Check all that apply:	e action (Reference 33 CFR part 331).
	There are "navigable waters of the United S the reviewed area. Approximate size of jurisdictions of the United S.	tates" (as defined by 33 CFR part 329 and associated guidance) within ctional area:
	There are "waters of the United States" (as reviewed area. Approximate size of jurisdiction	defined by 33 CFR part 328 and associated guidance) within the nal area:
		ate waters or wetlands" within the reviewed area.  ANCC/Migratory Bird Rule Information Sheet for Determination of No.
	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "n The presence of waters that are subject to the eb the past, or may be susceptible for use to transp	bb and flow of the tide and/or are presently used, or have been used in
n	Waters defined under 22 CFD next 229 2(a)	on White and the United States?

- Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
  - (2) The presence of interstate waters including interstate wetlands<sup>1</sup>.
  - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
  - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
  - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
  - (iii) which are or could be used for industrial purposes by industries in interstate commerce.
  - (4) Impoundments of waters otherwise defined as waters of the US.
  - (5) The presence of a tributary to a water identified in (1) (4) above.
  - (6) The presence of territorial seas.
  - (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

#### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Unnamed canal on property is a tributary to Millaudon Canal, a navigable water of the U.S.

Lat	Ordinary High Water Mark indicated by:    Clear, natural line impressed on the bank   Did or scum line along shore objects   Generated in the character of soil   Did or scum line along shore objects   Did or scum
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
. :	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
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<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2006-4836-SD

S F C	State Paris Cent Appi Nam			30.31882 / -93.24085 guplands: 40 acres.
		ctional determination pleted: Desktop determination Site visit(s)	$\boxtimes$	Date: 02/23/2007 Date(s):
J	Juri:	sdictional Determination (JD):		
(				, \( \subseteq \text{ there appear to be (or) } \subseteq  there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
	X	Approved JD – An approved JD is an a Check all that apply:	ppealable	action (Reference 33 CFR part 331).
		There are "navigable waters of the the reviewed area. Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
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				te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
BASI	s o	F JURISDICTIONAL DETERMINA	TION:	
_			to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in at interstate or foreign commerce.
1	X		currently ung all wat	used, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide.
į		(3) The presence of other waters such a sandflats, wetlands, sloughs, prairie po destruction of which could affect inters  (i) which are or could be used by it (ii) from which fish or shellfish ar (iii) which are or could be used fo	as intrastat tholes, we state comm nterstate of e or could r industria	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or nerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. Il purposes by industries in interstate commerce.
[		<ul> <li>(4) Impoundments of waters otherwise</li> <li>(5) The presence of a tributary to a wat</li> <li>(6) The presence of territorial seas.</li> <li>(7) The presence of wetlands adjacent<sup>2</sup></li> </ul>	er identifi	
1	Rati	onale for the Basis of Jurisdictional I	)etermina	ation (applies to any boxes checked above).
	W	etlands (Sec 10/404) are adjacent to Ind	ian Bayou	(onsite). Indian Bayou is a navigable water of the U.S.

Ordinary High Water Mark indicated by:  I clear, natural line impressed on the bank I the presence of litter and debris I changes in the character of soil I destruction of terrestrial vegetation Shelving Other: Desktop JD- Lateral Extent Not Determined  Ordinary High Water Mark indicated by: High Tide Line indicated by: Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other: Other:
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The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date): Calcasieu Parish, LA (Unincorporated Areas) June 8, 1998  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 1995, 1998 & 2004  Other photographs (Date):  Advanced Identification Wetland maps:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

**DISTRICT OFFICE:** New Orleans

FILE N	UMBER: MVN-2007-230-SU
Stat Pari Cen App Nan	
	ICTIONAL DETERMINATION  npleted: Desktop determination
Jur	isdictional Determination (JD):
	Preliminary JD - Based on available information, \( \subseteq \text{there appear to be (or) } \subseteq there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	☑ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
	OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
B.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands.  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):  (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.  (iii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.  (iiii) which are or could be used for industrial purposes by industries in interstate commerce.  (4) Impoundments of waters otherwise defined as waters of the US.  (5) The presence of a tributary to a water identified in (1) – (4) above.  (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.
Rat	ionale for the Basis of Jurisdictional Determination (applies to any boxes checked above).
W	/etlands are part of a large system adjacent to an unnamed tributary of Ponchatalawa Creek, Section 10 in its lower eaches.

2007-230 Basis.doc 2

	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Actual Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): '95, '98, & '04 aerial infrared  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

## JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DIST	RICT	<b>OFFI</b>	CE: N	lew Orle	ans
FILE	NUM	BER:	MVN	2006-49	937-SO

FILE N	UMBER:	MVN 2006-4937-SQ		
Stat Pari Cen App Nan	e: ish: iter coordi proximate:	ATION INFORMATION: Louisiana Ascension nates of site (latitude/longity size of area (parcel) reviewe est waterway: ershed:		30.3262 N 90.9513 W g uplands: 26 acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: Date(s): 03/16/2007
Jur	isdictiona	l Determination (JD):		
	United S			n, there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
×	• •	d JD – An approved JD is a l that apply:	n appealable	e action (Reference 33 CFR part 331).
		e are "navigable waters of the wed area. Approximate size		tates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		e are "waters of the United S I area. Approximate size of		defined by 33 CFR part 328 and associated guidance) within the nal area:
	There			ate waters or wetlands" within the reviewed area.  ANCC/Migratory Bird Rule Information Sheet for Determination of No.
Α.	Waters of The prese	ence of waters that are subje	t 329 as "na ect to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
B.	(1) The p interstate (2) The p (3) The p sandflats destruction (i) w (ii) f (iii) (4) Impo (5) The p (6) The p	presence of waters, which are or foreign commerce, includes the conformation of the co	e currently used including all wat including in has intrastate potholes, we erstate commy interstate care or could for industrials defined a vater identification.	ate lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. d be taken and sold in interstate or foreign commerce. al purposes by industries in interstate commerce. as waters of the US.
Rat	ionale for	the Basis of Jurisdictiona	l Determina	ation (applies to any boxes checked above).
				ystem of Bayou Manchac, a navigable water.

2006-4937Basis 2

eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank  □ the presence of litter and debris  □ changes in the character of soil  □ destruction of terrestrial vegetation  □ shelving  □ other:  □ other:  □ High Tide Line indicated by:  □ oil or scum line along shore objects  fine shell or debris deposits (foreshore)  physical markings/characteristics  tidal gages  other:
Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 1995 IR, 1998 IR, 2004 IR  Other photographs (Date): Consultant photos dated 11/01/2006  Advanced Identification Wetland maps:  Site visit/determination conducted on: 03/16/2007  Applicable/supporting case law:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2007-756

$DD \cap$	IFCT	IOCA	TION	INFORM	ATION.

State: Louisiana Parish: Terrebonne

Center coordinates of site (latitude/longitude): 29.3958 /-90.5863 Approximate size of area (parcel) reviewed, including uplands: 1.75 acres.

Name of nearest waterway: Name of watershed:

#### JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

il		
!		

Date:

Date(s): 2/27/07

#### Jurisdictional Determination (JD):

٠,:	Preliminary JD - Based on available information, \( \subseteq \text{there appear to be (or) } \subseteq there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information, \( \subseteq \text{there appear to be no "waters of the appear to be no" available information and a subsete appear to be no "waters of the appear to be no" available information and a subsete appear to be no "waters of the appear to be no" available information and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" and a subsete appear to be no "waters of the appear to be no" appear to
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

■ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

#### BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
- (2) The presence of interstate waters including interstate wetlands<sup>1</sup>.
  - (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
  - (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
  - (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
  - [ (iii) which are or could be used for industrial purposes by industries in interstate commerce.
  - (4) Impoundments of waters otherwise defined as waters of the US.
  - (5) The presence of a tributary to a water identified in (1) (4) above.
  - (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

#### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands on property are adjacent to an unnamed canal, part of the tributary system via pump to Bayou Terrebonne, a navigable water of the U.S.

Lat	Ordinary High Water Mark indicated by:    Clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:    High Tide Line indicated by:   High Tide Line indicated by:   oil or scum line along shore objects   fine shell or debris deposits (foreshore)   physical markings/characteristics   tidal gages   other:
	Mean High Water Mark indicated by:  survey to available datum; physical markings; vegetation lines/changes in vegetation types.  Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
DATA F	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 17 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 10 Minute Historic quadrangles:  U.S. Geological Su

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

**DISTRICT OFFICE:** New Orleans FII

FILE N	UMBER: MVN-2005-645-SZ		
Sta Par Ce Ap Na	ct Location information:  te: Louisiana ish: Lafourche nter coordinates of site (latitude/longitud proximate size of area (parcel) reviewed, me of nearest waterway: Bayou L'Our's me of watershed:		NAD-83 29.8716404 / -90.6019218 g uplands: 2. acres.
	DICTIONAL DETERMINATION mpleted: Desktop determination Site visit(s)	$\boxtimes$	Date: 14 Mar. 2007 Date(s): 18 Nov 2005
Ju	risdictional Determination (JD):		
	Preliminary JD - Based on available in United States" and/or "navigable water (Reference 33 CFR part 331).	formation s of the U	, \( \subseteq \text{ there appear to be (or) } \subseteq  there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
$\boxtimes$	Approved JD – An approved JD is an a Check all that apply:	ppealable	action (Reference 33 CFR part 331).
	There are "navigable waters of the the reviewed area. Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
	There are "waters of the United Stareviewed area. Approximate size of ju		lefined by 33 CFR part 328 and associated guidance) within the al area:
			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
Α.	OF JURISDICTIONAL DETERMINA Waters defined under 33 CFR part 3 The presence of waters that are subject the past, or may be susceptible for use	29 as "na to the ebb	and flow of the tide and/or are presently used, or have been used in
	interstate or foreign commerce, includi  (2) The presence of interstate waters in  (3) The presence of other waters such a sandflats, wetlands, sloughs, prairie po destruction of which could affect inters  (i) which are or could be used by i  (ii) from which fish or shellfish ar  (iii) which are or could be used for  (4) Impoundments of waters otherwise  (5) The presence of a tributary to a wat  (6) The presence of wetlands adjacent <sup>2</sup>	currently ung all wat cluding in as intrastat tholes, we state communerstate or could rindustria defined a er identifito other v	sed, or were used in the past, or may be susceptible to use in ers which are subject to the ebb and flow of the tide.  sterstate wetlands <sup>1</sup> .  le lakes, rivers, streams (including intermittent streams), mudflats, to meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply):  or foreign travelers for recreational or other purposes.  be taken and sold in interstate or foreign commerce.  I purposes by industries in interstate commerce.  s waters of the US.
_			y to Bayou Boeuf, a navigable wate of the U.S.

Lat	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:    Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.   Artificially irrigated areas, which would revert to upland if the irrigation ceased.   Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.   Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.   Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).   Isolated, intrastate wetland with no nexus to interstate commerce.   Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul> <li>□ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>□ Other (explain):</li> </ul>
	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. A Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:
	State/Local wetlands inventory maps:  FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995, 1998 and 2004 aerial infrareds Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DISTRICT OFFICE: New Orleans
FILE NUMBER: MVN-2006-3756-SY

FIL	E NU	MBEK:	M V N-200	10-3/30-8 Y		
PRC	State Pari Cent App Nam	e: sh: ter coordii roximate :	Louisiana Tangipah nates of sit size of are est waterw	oa te (latitude/longitud	including	NAD-83 30.5312365 / -90.5199853 guplands: 40.62 acres.
JUR				RMINATION determination (s)		Date: Date(s): 3-8-07
	Juri	sdictiona	I Determi	nation (JD):		
		United S	tates" and			, \( \sum \) there appear to be (or) \( \sum \) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
	$\boxtimes$		d JD – An I that apply		appealable	action (Reference 33 CFR part 331).
				gable waters of the Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
				ers of the United Sta proximate size of ju		lefined by 33 CFR part 328 and associated guidance) within the al area:
		There	are "isol			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
RAS	is c	F HIRIS	DICTION	NAL DETERMINA	ATION:	
DAG	A.	Waters of The prese	defined ur ence of wa	ider 33 CFR part 3 iters that are subject	329 as "na to the ebb	avigable waters of the United States":  o and flow of the tide and/or are presently used, or have been used in  nt interstate or foreign commerce.
		(1) The printerstate (2) The printerstate (3) The printerstate (3) The printerstate (4) The printerstate (5) The p	or foreign or foreign or sence of or sence of or wetlands on of which which are of from which which are undments or sence of	f waters, which are a commerce, including interstate waters in fother waters such a sloughs, prairie post could affect intersor could be used by the fish or shellfish are or could be used foof waters otherwise fa tributary to a wafterritorial seas.	currently using all wat acluding in as intrastate tholes, we state comminterstate or could r industrial defined a ter identification.	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce.
	V		dentified o			ation (applies to any boxes checked above).  It to tributaries of the Yellow Water River, a navibable water of the U.S.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ High Tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA F	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Actual Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): '95 & '98 aerial infrared  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page  Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**EIFE NUMBEB:** WAN-5001-508-2C **DISTRICT OFFICE:** New Orleans

## PROJECT I OCATION INFORMATION:

Rationale for the Basis of Jurisdictional Dete	tion (applies to any boxes checked above).
interstate or foreign commerce, including a (2) The presence of interstate waters including (3) The presence of other waters such as in sandflats, wetlands, sloughs, prairie pothol destruction of which are or could affect interstated (i) which are or could be used by intermal (ii) which are or could be used by intermal (iii) which are or could be used for ind (4) Impoundments of waters otherwise deficitly in the presence of a tributary to a water in (5) The presence of territorial seas.	sed, or were used in the past, or may be susceptible to use in sets which are subject to the ebb and flow of the tide. terstate wetlands!.  I akes, rivers, streams (including intermittent streams), mudflats, it meadows, playa lakes, or natural ponds, the use, degradation or recree including any such waters (check all that apply):  I foreign travelers for recreational or other purposes.  I toreign travelers for recreational or other purposes.  I toreign travelers for recreational or other purposes.  I waters of the US.
BASIS OF JURISDICTIONAL DETERMINATI  A. Waters defined under 33 CFR part 329.  The presence of waters that are subject to the past, or may be susceptible for use to the past, or may be susceptible for use to the past, or may be susceptible for use to the past, or may be susceptible for use to the past, or may be susceptible for use to the past, or may be susceptible for use to the past, or may be susceptible for use the past, or may be susceptible for the pa	and flow of the tide and/or are presently used, or have been used in
reviewed area. Approximate size of jurisd  There are "isolated, non-navigable, intr	afined by 33 CFR part 328 and associated guidance) within the waters or wetlands" within the reviewed area.
There are "navigable waters of the Unit the treviewed area. Approximate size of ju	tes" (as defined by 33 CFR part 329 and associated guidance) within onal area:
■ Approved JD – An approved JD is an apper	action (Reference 33 CFR part 331).
	☐ there appear to be (or) ☐ there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
JURISDICTIONAL DETERMINATION  Site visit(s)	Date(s): 2-27-07
PROJECT FOCATION INFORMATION:  State: Louisiana Parish: Calcasicu Center coordinates of site (latitude/longitude):  Mame of nearest waterway: Tributary of Calcasi inc Name of watershed:	

A tributary of the Calcasieu River is onsite. The Calcasieu River is a navigable water of the U.S.

Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  □ This office concurs with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Data sheets prepared by the Corps.  U.S. Geological Survey 7.5 Minute Historic quadrangles:  Other Matural Resources Conservation Service Soil Survey:  Matural Resources Conservation Service Soil Survey:  Matural Resources Conservation Service Soil Survey:  (MGVD)  Actial Photographs (Name & Date): 1998 & 2004  Advanced Identification Wetland maps:  Site visit/determination conducted on: 2-27-07  Applicable/supporting case law:  Other Information (please specify):	A ATAG
Mon-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):	
Mon-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:	
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Matural Resources Conservation Service. Explain rationale:	
Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or	
United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and	
s For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the	
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	
Mean High Water Mark indicated by:     survey to available datum;   physical markings;   vegetation lines/changes in vegetation types.	
Ordinary High Water Mark indicated by:  Clear, natural line impressed on the bank  Clear, natural line impressed on the bank  Changes in the character of soil  Changes in the c	

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers

EIFE NUMBEE: MAN-5000-4184-SC DISLECT OFFICE: New Orleans

A. A	re past, or may be susceptible for use Vaters defined under 33 CFR part  1) The presence of waters, which are retstate or foreign commerce, includ 2) The presence of interstate waters such 3) The presence of other waters such and late, wetlands, sloughs, prairie po estruction of which could affect inter [ii) thom which fish or shellfish a [ii) from which fish or shellfish a [iii) thoundments of waters otherwise [iii) which are or could be used for [iii) from which fish or shellfish a [iii) from which are or could be used for [iiii) from which are or could be used for [iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii	sto the ebb e to transport e to transport 328.3(a) a currently using all was including in not holes, we retate come retate come interstate of routoles, we retate come routoles, we retate of rould ater identification	and flow of the tide and/or and flow of the tide and/or waters of the United Stased, or were used in the pasters which are subject to the terstate wetlands!  e lakes, rivers, streams (inc t meadows, playa lakes, or perce including any such warere including any such warere including any such warere including any such warere of the US.  by waters of the US.  ed in (1) – (4) above.	or are presently used, or have been used in states":  sast, or may be susceptible to use in reluding intermittent streams), mudflats, or natural ponds, the use, degradation or waters (check all that apply):  reational or other purposes.  reational or other purposes.
	Honoround			
	Jurisdiction.		constructions	
	There are "isolated, non-navigable Decision supporte			nin the reviewed area. Information Sheet for Determination of Mo
ADI	eviewed area. Approximate size of ju	nonainsiin	וו שובשי	
				8 and associated guidance) within the
	There are "navigable waters of the reviewed area. Approximate size			Fig. 329 and associated guidance) within
"	: Giddn min im vicou			
	pproved JD – An approved JD is an heck all that apply:	sbbesjsble	action (Reference 33 CFR	R part 331).
9A)	Reference 33 CFR part 331).			
		aus or rue c	nica states on the project	ct site. A preliminary ID is not appealable
				There appear to be no "waters of the
5 7		; <b>vy</b>	() of execute one 4.	04,30 000,000,, 00 04 04 00 000 000 44 [] (
Jurisdic	:(At) noitanimation (AD):			
	(chier and		:(c)oma	
	Site visit(s)		Date(s):	
Comple		$\bowtie$	Date: 3-9-07	
TOIGNIE	TIONAL DETERMINATION			
State: Parish: Center of Approxi	Louisiana		30.31608, -93.196768 uplands: 43.57 acres.	
PROJECT I	COCATION INFORMATION:		,	

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Wetlands onsite are adjacent to a tributary of the Calcasieu River, a navigable water of the U.S.

Waps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  □ This office concurs with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  U.S. Geological Survey T.S Minute Topographic maps:  U.S. Geological Survey T.S Minute Historic quadrangles:  U.S. Geological Minute Historic quadrangles:  U.S. Geological Survey T.S Minute Historic quadrangles:  U.S. Geological Minute Historic quadrangles:  U.S. Geological Minute Historic quadrangles:  U.S. Geological Survey T.S Minute Historic quadrangles:  U.S. Geological Survey T.S Minute Historic quadra	
Other (explain):	
Mon-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):	
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:	
Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created  by excavating and/or diking dry land to retain water for primarily aesthetic reasons.	
United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or	
s For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the	
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	$\boxtimes$
Mean High Water Mark indicated by:	
ral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  Clear, natural line impressed on the bank  the presence of litter and debris  the presence of litter and debris  destruction of terrestrial vegetation  destruction of terrestrial vegetation  other:	Este

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

## JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

TOTAL OFFICE: Many Orleans

## EIFE NUMBER: MVN-2007-906-SC DISTRICT OFFICE: New Orleans

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). Wetlands are adjacent to the Mermentau River, a tidal, navigable water of the U.S.
Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands!  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, plays lakes, or natural ponds, the use, degradation or annual after tinerstate commerce including any such waters (check all that apply):  (ii) which are or could be used by interstate or foreign travelers for recreational or other purposes.  (iii) which are or could be used for industrial purposes by industries in interstate commerce.  (iii) which are or could be used for industrial purposes by industries in interstate commerce.  (iii) which are or could be used for industrial purposes by industries in interstate commerce.  (3) The presence of a tributary to a water identified in (1) – (4) above.  (4) Impoundments of waters otherwise defined as waters of the US.  (5) The presence of territorial seas.
BASIS OF JURISDICTIONAL DETERMINATION:  A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area.
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:
Preliminary JD - Based on available information,  United States. A preliminary JD is not appealable United States. On the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
Jurisdictional Determination (JD):
URISDICTIONAL DETERMINATION  Completed: Desktop determination  Site visit(s)  Date:  Date:
PROJECT EDCATION INFORMATION:  State: Louisiana Parish: Cameron Center coordinates of site (latitude/longitude): 29.7834996, -93.0692795  Name of nearest waterway: Name of nearest watershed:

Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  □ This office concurs with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey T.S Minute Topographic maps:  U.S. Geological Survey T.S Minute Historic quadrangles:  U.S. Geological Survey T.S. Minute Historic quadrangles:  U.S. Geological Survey T.S. Minute Historic quadrangles:  U.S. Geological Survey T.S. Minute H	
Mon-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):	
abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Matural Resources Conservation Service. Explain rationale:	
Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is	
retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.	
United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and	
s For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the black of the Corps has made a case-specific determination that the following waters present on the site are not Waters of the black of the corps has made a case-specific determination that the following waters present on the site are not Waters of the corps has made a case-specific determination that the following waters present on the site are not Waters of the corps has made a case-specific determination that the following waters present on the site are not waters of the corps has made a case-specific determination that the following waters present on the site are not waters of the corps has made a case-specific determination that the following waters because the corps has made a case-specific determination that the following waters because the corps has made a case-specific determination that the following waters because the corps has been considered to the corps has been case-specific determination that the corps has	<b>86</b>
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	$\boxtimes$
Mean High Water Mark indicated by:  Survey to available datum;   physical markings;   vegetation lines/changes in vegetation types.	
ral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  destruction of other:  other:	

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

	Date(s):	Site visit(s)	
Mar07	Date: 14	Desktop determination Site visit(s)	Completed:
	- 45	T DETERMINATION	JURISDICTIONA
			Name of water
		st waterway: Mississippi River	Name of neare
1500 acres.	:sbasiqu gaibula	ize of area (parcel) reviewed, inc	e ətamixorqqA
N68266 <sup>-</sup> 67	NAD-83	nates of site (latitude/longitude):	Center coordin
		St. John the Baptist	:dsi1sq
		Louisiana	State:
		TION INFORMATION:	PROJECT LOCA
		US-252-7007-NVN	LITE NOMBEK: N
		CE: New Orleans	DISTRICT OFFIC
f Engineers	S. Army Corps o	2.U	
LERMINATIO	CLIONAL DET	JURISDIC	

37 - Wetlands are adjacent to the Mississippi River or Lake Des Allemands.	
tionale for the Basis of Jurisdictional Determination (applies to any boxes checked above).  A & B1 - The Mississippi River is navigable-in-fact.	
(6) The presence of territorial seas. (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.	
(4) Impoundments of waters otherwise defined as waters of the $US$ . (5) The presence of a tributary to a water identified in (1) – (4) above.	
(iii) which are or could be used for industrial purposes by industries in interstate commerce.	
(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.  (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.	
destruction of which could affect interstate commerce including any such waters (check all that apply):	
(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or	П
(2) The presence of interstate waters including interstate wetlands.	
(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.	
Waters defined under 33 CFR part 328.3(a) as "waters of the United States":	B.
the past, or may be susceptible for use to transport interstate or foreign commerce.	
Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in	.A
DE INBISDICTIONAL DETERMINATION:	BYSIS
Jurisdiction.	
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	
the reviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	×
Check all that apply:  There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	⊠
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:  There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	
United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).  Approved JD – An approved JD is an appealable action (Reference 33 CFR part 339).  There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	
Preliminary ID - Based on available information,    There appear to be (or)   there appear to be (or)   there appear to be no "waters of the United States" on the project site. A preliminary ID is not appealable (Reference 33 CFR part 331).  Approved ID - An approved ID is an appealable action (Reference 33 CFR part 331).  Check all that apply:    There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:	ոսե
isdictional Determination (JD):  Preliminary ID - Based on available information,  United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).  Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:  There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:  There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the	Cor
Date: 14MarO7  Site visit(s)  Site visit(s)  Date: 14MarO7  Site visit(s)  Date: 14MarO7  Site visit(s)  Date: 14MarO7  Date:	Con Con Tur
me of nearest waterway: Mississippi River  me of watershed:  Site visit(s)  Date: 14Mar07  Preliminary ID - Based on available information, ☐ there appear to be (or) ☐ there appear to be no "waters of the United States" on the project site. A preliminary ID is an appealable action (Reference 33 CFR part 331).  Check all that apply:  Check all that apply:  There are "mayigable waters of the United States" on the project site. A preliminary ID is not appealable check all that apply:  Check all that apply:  There are "mayigable waters of the United States" (as defined by 33 CFR part 331).  There are "mayigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the the ceviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the content of the United States" (as defined by 33 CFR part 328 and associated guidance) within the content of the United States" (as defined by 33 CFR part 328 and associated guidance) within the content of the United States" (as defined by 33 CFR part 328 and associated guidance)	Nari Nari Con Con
me of watershed:  Site visit(s)  Site visit(s)  Preliminary JD - Based on available information, ☐ there appear to be (or) ☐ there appear to be no "waters of the United States" on the project site. A preliminary JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:  There are "navigable waters of the United States" (as defined by 33 CFR part 331).  There are "navigable waters of the United States" (as defined by 33 CFR part 331).  There are "waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the teviewed area. Approximate size of jurisdictional area:  There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the waters are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the water area.	Appl Nari Nari Con Con

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sit/determination conducted on: see Jurisdictional Determination Section at top of previous page	oilaaA	H
ced Identification Wetland maps:	nsvbA	0.75
opotographs (Date):	Other p	
Photographs (Name & Date): 95, 98, & '04 aerial infrared		M.
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ocal wetland inventory maps:		H
al wetlands inventory maps:	Nation	
Natural Resources Conservation Service Soil Survey:		$\boxtimes$
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eological Survey 7.5 Minute Topographic maps:		K
eological Survey Hydrologic Atlas:	U.S. G	
usvigable waters' studies:		
nis office does not concur with the delineation report, dated , prepared by (company): heets prepared by the Corps.		
is office concurs with the delineation report, dated , prepared by (company):		
heets prepared/submitted by or on behalf of the applicant.	Data s	
plans, plots or plat submitted by or on behalf of the applicant.  WED FOR JURISDICTIONAL DETERMINATION (mark all that apply):	,sqsM	
WED FOR HIBISDICTIONAL DETERMINATION (math all that apply).	SEALE	A ATAC
Other (explain):		
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:		
Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:		
328.3(a). Intrastate wetland with no nexus to interstate commerce.		
abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR		
the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is	_	
by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for		
Artificial reflecting or swimming pools or other small ornamental bodies of water created		
rice growing.		
retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or		
Artificial lakes and ponds created by excavating and/or diking dry land to collect and		
Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased.	님	
३ शर्षाहर:		
orps has made a case-specific determination that the following waters present on the site are not Waters of the		
e to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). uarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).		
viewed area consists entirely of uplands.		H
Vot Asserting Jurisdiction:		Bas
nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	Wetla	$\boxtimes$
vey to available datum; 🔲 physical markings; 🔲 vegetation lines/changes in vegetation types.	ıns 🦳	
High Water Mark indicated by:		
other: desk JD - lateral extent undetermined		
helving Other:	_	
hanges in the character of soil   physical markings/characteristics   physical markings/characteristics   particular part		
he presence of litter and debris from the presence of litter and debris deposits (foreshore)		
lear, natural line impressed on the bank oil or scum line along shore objects	o 🗀	Control
ary High Water Mark indicated by:		$\boxtimes$
tent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)	eral Ex	ta, I

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology)

<sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

## JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans

### EIFE NUMBER: MVN-2007-782-SG DISTRICT OFFICE: New Orleans

B(5)- The water designated in blue on the map is part of the tributary system of Ponchitalawa Creek, part of the tributary system of the Tehefuncta River, a Section 10 water of the U.S.	
Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).	
Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands!  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):  (4) Impoundments of waters otherwise defined as waters of the US.  (5) The presence of a tributary to a water identified in (1) – (4) above.  (6) The presence of territorial seas.  (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.	
ASIS OF JURISDICTIONAL DETERMINATION:  A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.	a
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.	
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:	
Preliminary JD - Based on available information, I there appear to be (ot) the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).	
Jurisdictional Determination (JD):	
URISDICTIONAL DETERMINATION  Completed: Desktop determination  Site visit(s)  Date:  Date(s): 03/08/2007	ſ
ROJECT LOCATION INFORMATION:  State: Louisiana Parish: St. Tammany Center coordinates of site (latitude/longitude): 30.44022 N / -90.06109 W Asme of nearest waterway: Aame of watershed:	d

Creek, part of the tributary system of the Tchefuncta River, a Section 10 water of the U.S.

B(7)- The wetlands are adjacent to the water designated in blue on the map, part of the tributary system of Ponchitalawa

Sasis2

ATAG	Maps, Data si Data si Data si Corps, U.S. G	plans, plots or plat submitted by or on behalf of the applicant.  plears, plots or plat submitted by or on behalf of the applicant.  heets prepared/submitted by or on behalf of the applicant.  his office concurs with the delineation report, dated , prepared by (company):  heets prepared by the Corps.  heets prepared by the Corps.  heets prepared by the Corps.  heological Survey Hydrologic Atlas:  seological Survey 7.5 Minute Historic quadrangles:  beological Survey 7.5 Minute Historic quadrangles:  al wetlands inventory maps:  Local wetlands inventory maps:  the wetlands inventory maps:  Photographs (Map Mame & Date):  Photographs (Mame & Date):  Photographs (Date):  near Floodplain Elevation is: (NGVD)  photographs (Date):  sear Floodplain gase (Bay:  cal dentification Wetland maps:  istildetermination conducted on: 03/08/2007  istildetermination conducted on: 03/08/2007  information (please specify):
		Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
		Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
		328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce.
		Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR
		rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
		Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
and the same	United	orps has made a case-specific determination that the following waters present on the site are not Waters of the
sad	The rev Unable	Not Asserting Jurisdiction: viewed area consists entirely of uplands. But 328(a)(1, 2, or 4-7). The presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Uarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
$\boxtimes$	Wetlan	nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
		High Water Mark indicated by: Thysical markings; Wegetation lines/changes in vegetation types.
natu	Ordina   O	tent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  3ry High Water Mark indicated by: lear, natural line impressed on the bank he presence of litter and debris he presence of litter and lit

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands!.  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, and flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or and destruction of which could affect interstate commerce including any such waters (check all that apply):  (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.  (iii) which are or could be used for industrial purposes by industries in interstate commerce.  (iv) Impoundments of waters otherwise defined as waters of the US.  (b) The presence of a tributary to a water identified in (1) – (4) above.  (c) The presence of territorial seas.  (d) The presence of territorial seas.	
B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":	
IS OF JURISDICTIONAL DETERMINATION:  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.	,
Jurisdiction.	
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.	
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
Approved 1D – An approved 1D is an appealable action (Reference 33 CFR part 331).  Check all that apply:	
Preliminary JD - Based on available information,   I there appear to be (or)   Interest site. A preliminary JD is not appealable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).	ľ
Jurisdictional Determination (JD):	1
Site visit(s)  Site visit(s)  Date:  Date(s): 03/08/2007	
State: Location information:  State: Louisiana Parish: St. Tammany Center coordinates of site (latitude/longitude): 30.4258 N \ -90.0820 W Approximate size of area (parcel) reviewed, including uplands: 0.74 acres.  Agme of neatest waterway:	l ) I
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Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

ATAC	Maps, Petrial J. Corps. U.S. G. G. U.S. G. U.S	Piens, plots or plat submitted by or on behalf of the applicant.  heets prepared/submitted by or on behalf of the applicant.  is office concurs with the delineation report, dated by prepared by (company):  nis office concurs with the delineation report, dated prepared by (company):  heets prepared by the Corps.  navigable waters' studies:  navigable waters' studies:  heological Survey 7.5 Minute Historic quadrangles:  selological Survey 7.5 Minute Historic quadrangles:  L'Attural Resources Conservation Service Soil Survey:  L'Attural Resources Conservation Service Soil Survey:  Local wetlands inventory maps:  Local wetlands inventory maps:  Dhotographs (Name & Date):  sar Floodplain Elevation is: (NGVD)  photographs (Date):  ceal dentification Wetland maps:  sale(supporting case law:  information conducted on: 03/08/2007)  information (please specify):
		Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
		Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
		Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
		retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
	Onited	d States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and
ss8	The rev Unable Headqu The Co	Not Asserting Jurisdiction: viewed area consists entirely of uplands. Use to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Users declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). Or 4-7). Or 4-7). Or 4-7).
	Wetlar	nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
		High Water Mark indicated by: Tyeyical markings; Wegetation lines/changes in vegetation types.
jgJ □	Odina   Odin	tent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  32y High Water Mark indicated by:  Icar, natural line impressed on the bank  Time shell or debris debris  In physical markings/characteristics  In idal gages  In idal gages  In idal gages  In other:  In idal gages

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Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands!  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
BASIS OF JURISDICTIONAL DETERMINATION:  A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area.
Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:
Preliminary JD - Based on available information,   [Reference 32 CFR part 331].  Preliminary JD - Based on available information,   [Reference 33 CFR part 331].
:(UL) noitanination (JD):
Completed: Desktop determination  Site visit(s)  Date:  Date(s): 03/15/2007
PROJECT LOCATION INFORMATION:  State: Louisiana Parish: East Baton Rouge Center coordinates of site (latitude/longitude): 30.60841 N 91.05766 W Name of nearest waterway: Name of nearest waterway:
EIFE NUMBER: MVN 2006-4778-SQ DISTRICT OFFICE: New Orleans
U.S. Army Corps of Engineers

Wetlands on the property are part of a wetland system adjacent to tributaries of Blackwater Bayou, part of the

(7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

(iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(5) The presence of a tributary to a water identified in (1) – (4) above. (4) Impoundments of waters otherwise defined as waters of the US.

tributary system of the Comite River, a navigable water.

(6) The presence of territorial seas.

7 2006-4778Basis

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plans, plots or plat submitted by or on behalf of the applicant.  rects prepared/submitted by or on behalf of the applicant.  is office concurs with the delineation report, dated  rects prepared by (company):  rects prepared by the Corps.  navigable waters' studies:  navigable waters' studies:  cological Survey 7.5 Minute Topographic maps:  cological Survey 7.5 Minute Historic quadrangles:  Matural Resources Conservation Service Soil Survey:  al wetlands inventory maps:  cological wetland inventory maps:  AFIRM maps (Map Name & Date):  photographs (Name & Date):  (NGVD)  strictorion Wetland maps:  cod Identification Wetland maps:  sividetermination conducted on: 03/13/2007  sividetermination conducted on: 03/13/2007  information (please specify):	Applications of the company of the c	
WED FOR JURISDICTIONAL DETERMINATION (mark all that apply):	SELIEV	<b>4_</b> XX∀C
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):		
328.3(a). Intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:		
the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR		
rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for		
Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or retain water and which are used exclusively for such purposes as stock watering.		
States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.		_
Not Asserting Jurisdiction: viewed area consists entirely of uplands. usine confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). usrters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). Or 4-7). Or 4-7). Or 4-7).	The rer Unable Headqu	288
nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	Wetlan	<u> </u>
High Water Mark indicated by: Upysical markings; Upegetation lines/changes in vegetation types.		•
ther:  The presence of litter and debris  Physical markings/characteristics  physical markings/characteristics  physical markings/characteristics  physical markings/characteristics  cetruction of terrestrial vegetation  ideal gages  other:	th   ch   ch   ch   ch   ch   ch   ch	
tent of Jurisdiction: (Keterence: 33 CFK parts 328 and 329)  Ty High Water Mark indicated by:  High Tide Line indicated by:  Migh Water Mark indicated by:  Oil or scum line along shore objects	Ordina	187

 $\ensuremath{\text{U.S.}}$  Army Corps of Engineers

FILE NUMBER: MVN 2006-4779-5

# **EITE NUMBER:** MAN 2006-4779-5Q

Wetlands on the property are part of a wetland system adjacent to tributaries of Blackwater Bayou, part of the tributary system of the Comite River, a navigable water.	
Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).	
Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands!  (3) The presence of other waters uch as intrastate lakes, rivers, streams (including internittent streams), mudflats, andflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which are or could be used by interstate or foreign travelers for recreational or other purposes.  (4) Impoundments of waters otherwise defined as waters of the US.  (5) The presence of a tributary to a water identified in (1) – (4) above.  (6) The presence of territorial seas.  (7) The presence of wetlands adjacent. to other waters of the US, except for those wetlands adjacent to other wetlands.	
ASIS OF JURISDICTIONAL DETERMINATION:  A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.	8
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area.	
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331).  Check all that apply:	
Preliminary JD - Based on available information,   Intere appear to be (or)   Intere appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).	
Jurisdictional Determination (JD):	
Completed: Desktop determination  Site visit(s)  Date(s): 03/15/2007	ſ
State: East Baton Rouge Parish: East Baton Rouge Center coordinates of site (latitude/longitude): 30.60851 N 91.05751 W Approximate size of site (latitude/longitude): 30.60851 N 91.05751 W Anne of neatest waterway:	

2006-4779Basis

Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated  This office does not concur with the delineation report, dated  This office does not concur with the delineation report, dated  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  D.S. Geological Survey 15 Minute Historic quadrangles:  Advaional wellands inventory maps:  State/Local wellands inventory maps:  Advanced Identification is: (NGVD)  Advanced Identification welland maps:  Site visit/determination welland maps:  Site visit/determination conducted on: 03/13/2007  Advanced Identification Wetland maps:  Site visit/determination conducted on: 03/13/2007  Other photoparapha (Jame & Date):  Applicable/supporting case law:  Other information (please specify):	3
☐ Other (explain):	
Mon-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:	
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:	
Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created  by excavating and/or diking dry land to retain water for primarily aesthetic reasons.	
Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or	
United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lokes and nonds presented by eventaing and/or diking day lend to collect and	
Pasis For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the libral states.	
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	4
Mean High Water Mark indicated by:	
Deferal Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  abelving  other:	I I

7

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

LITE NUMBER: MVN-2007-205-SZ DISTRICT OFFICE: New Orleans

## PROJECT LOCATION INFORMATION:

## Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). (7) The presence of wellands adjacent<sup>2</sup> to other waters of the $\bigcup S$ , except for those wellands adjacent to other wellands. (6) The presence of territorial seas. (5) The presence of a tributary to a water identified in (1) – (4) above. (4) Impoundments of waters otherwise defined as waters of the US. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. destruction of which could affect interstate commerce including any such waters (check all that apply): sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, (2) The presence of interstate waters including interstate wetlands!. interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in Waters defined under 33 CFR part 328.3(a) as "waters of the United States": the past, or may be susceptible for use to transport interstate or foreign commerce. The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in Waters defined under 33 CFR part 329 as "navigable waters of the United States": BASIS OF JURISDICTIONAL DETERMINATION: Jurisdiction. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No There are "isolated, non-navigable, intra-state waters or wellands" within the reviewed area. reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the the reviewed area. Approximate size of jurisdictional area: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within Check all that apply: Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). $\bowtie$ (Reference 33 CFR part 331). United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable Preliminary JD - Based on available information, Ineve appear to be (or) Ineve appear to be no "waters of the Jurisdictional Determination (JD): Date(s): 6 March 2007 Site visit(s) Date: 15 March 2007 Completed: Desktop determination JURISDICTIONAL DETERMINATION Name of watershed: Name of nearest waterway: Joseph Branch Approximate size of area (parcel) reviewed, including uplands: 2.0 acres. NAD-83 30.8208555 / -90.6666077 Center coordinates of site (latitude/longitude): St. Helena Parish: Louisiana State:

Other information (please specify): Applicable/supporting case law:

Advanced Identification Wetland maps:

Other photographs (Date): Aerial Photographs (Name & Date): 1995, 1998 and 2004 aerial infrareds (NGAD) 100-year Floodplain Elevation is: FEMA/FIRM maps (Map Name & Date): State/Local wetland inventory maps: National wetlands inventory maps: USDA Natural Resources Conservation Service Soil Survey: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey Hydrologic Atlas: Corps' navigable waters' studies: Data sheets prepared by the Corps. ' brepared by (company): This office does not concur with the delineation report, dated This office concurs with the delineation report, dated ' brepared by (company): Data sheets prepared/submitted by or on behalf of the applicant. Maps, plans, plots or plat submitted by or on behalf of the applicant. DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply): Other (explain): Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Isolated, intrastate wetland with no nexus to interstate commerce. abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Artificial reflecting or swimming pools or other small ornamental bodies of water created rice growing. retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or Artificial lakes and ponds created by excavating and/or diking dry land to collect and Artificially irrigated areas, which would revert to upland if the irrigation ceased. Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  $\Box$ The Corps has made a case-specific determination that the following waters present on the site are not Waters of the Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). The reviewed area consists entirely of uplands. Basis For Not Asserting Jurisdiction: Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types. Mean High Water Mark indicated by: orper: orper: Shelving tidal gages destruction of terrestrial vegetation physical markings/characteristics changes in the character of soil fine shell or debris deposits (foreshore) the presence of litter and debris oil or scum line along shore objects clear, natural line impressed on the bank High Tide Line indicated by: Ordinary High Water Mark indicated by: Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page

barriers, natural river berms, beach dunes, and the like are also adjacent. <sup>7</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or

U.S. Army Corps of Engineers

EIFE NOMBEE: WAN-5006-1868-SZ DISLEICL OEFICE: New Orleans

PROJECT LOCATION INFORMATION:

## 7) Wetlands on the property are adjacent to the above described waters. 5) Waters on the property are tributary to Honey Cut Bayou, trib. to the Amite River, a navigable water of the U.S. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands. XIX (6) The presence of territorial seas. (5) The presence of a tributary to a water identified in (1) – (4) above. (4) Impoundments of waters otherwise defined as waters of the US. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. destruction of which could affect interstate commerce including any such waters (check all that apply): sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands. В. (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in Waters defined under 33 CFR part 328.3(a) as "waters of the United States": the past, or may be susceptible for use to transport interstate or foreign commerce. The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in Waters defined under 33 CFR part 329 as "navigable waters of the United States": BASIS OF JURISDICTIONAL DETERMINATION: Jurisdiction. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the the reviewed area. Approximate size of jurisdictional area: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within Check all that apply: Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). (Reference 33 CFR part 331). United States" and/or "navigable waters of the United States" on the project site. A preliminary ID is not appealable Preliminary JD - Based on available information, I there appear to be (or) I there appear to be no "waters of the Jurisdictional Determination (JD): Date(s): Site visit(s) Date: 12 Mar. 2007 Completed: Desktop determination JURISDICTIONAL DETERMINATION Name of watershed: Name of nearest waterway: Honey Cut Bayou Approximate size of area (parcel) reviewed, including uplands: 130 acres. NAD-83 30.4273546 / -90.99777 Center coordinates of site (latitude/longitude): East Baton Rouge Parish: Louisiana State:

2006-1868.Basis2

	Maps, p Data sho Data sho Corps' i U.S. Ge U.S	WED FOR JURISDICTIONAL DETERMINATION (mark all that apply): plans, plots or plat submitted by or on behalf of the applicant. heets prepared/submitted by or on behalf of the applicant. his office concurs with the delineation report, dated , prepared by (company): heets prepared by the Corps. havigable waters' studies: navigable waters' studies: havigable waters' studies: havigable waters on the Topographic maps: heological Survey 7.5 Minute Topographic maps: hological Survey 7.5 Minute Historic quadrangles: coel legical Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Historic quadrangles: coel decources Conservation Service Soil Survey: hological Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Pittoric quadrangles: hological Survey 7.5 Minute Pittoric quadrangles: hological Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Mistoric quadrangles: hological Survey 7.5 Minute Topographic Mistoric Pittoric proposed Mistoric Pittoric quadrangles: hological Survey 7.5 Minute Historic quadrangles: hological Survey 7.5 Minute Topographic Mistoric Pittoric Pittoric Pittoric Pittoric Pittoric Pittoric Pittoric Pittoric Pittoric Pitt
		Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
		Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
		Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or awimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
		d States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased.
88 	The rev Unable Headqu The Co	Not Asserting Jurisdiction: viewed area consists entirely of uplands. eto confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). uarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). or part 328.3(a)(3). or part of the integrated of a case-specific determination that the following waters present on the site are not Waters of the orps has made a case-specific determination that the following waters present on the site are not Waters of the
$\boxtimes$	Wetlan	nd boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
		High Water Mark indicated by: Thysical markings; Thegetation lines/changes in vegetation types.
<b>⊠</b>	Ordinan  Ola   Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola    Ola	itent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Bary High Water Mark indicated by:  lear, natural line impressed on the bank  be presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  liter physical markings/characteristics  destruction of terrestrial vegetation  changes  destruction  destruction  changes  destruction  destruction  changes  destruction  changes  destruction  destruction  destruction  changes  destruction  destru

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Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

## JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

**EILE NUMBER:** MVN-2007-226 DISTRICT OFFICE: New Orleans

St. John the Baptist	:Parish:
Louisiana	State:
LOCATION INFORMATION:	PROJECT

Approximate size of area (parcel) reviewed, including uplands: Center coordinates of site (latitude/longitude): 30.07936 /-90.57222

Name of nearest waterway:

Name of watershed:

Completed: Desktop determination JURISDICTIONAL DETERMINATION

	Jurisdictional Determination (JD):
Date(s):	Site visit(s)

(Keference 33 CFR part 331).	
United States" and/or "mavigable waters of the United States" on the project site. A preliminary JD is not appealable	
Preliminary JD - Based on available information, I there appear to be (or) I there appear to be no "waters of the	

Check all that apply: Approved 1D - An approved 1D is an appealable action (Reference 33 CFR part 331).

the reviewed area. Approximate size of jurisdictional area: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within

Date: 3/12/07

reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

## BASIS OF JURISDICTIONAL DETERMINATION:

the past, or may be susceptible for use to transport interstate or foreign commerce. The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in Waters defined under 33 CFR part 329 as "navigable waters of the United States":

- Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
- interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
- sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, (2) The presence of interstate waters including interstate wetlands<sup>1</sup>.
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. destruction of which could affect interstate commerce including any such waters (check all that apply):
- (iii) which are or could be used for industrial purposes by industries in interstate commerce. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands. (6) The presence of territorial seas.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

When place on the concurs with the delineation report, dated by company):  Jates sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated prepared by (company):  Jates sheets prepared by the Corps.  Jates abeets prepared by the Corps.  Jace office does not concur with the delineation report, dated prepared by (company):  Jace office does not concur with the delineation report, dated prepared by (company):  Jace office does not concur with the delineation report, dated prepared by (company):  Jace office does not concur with the delineation report, dated prepared by (company):  Jace office does not concur with the delineation report, dated prepared by (company):  Jace office does not concur with the delineation report, dated by (company):  Jace office does not concur with the delineation report, dated by (company):  Jace office does not concur with the delineation date date dated by (company):  Jace office does not concur with the delineation dated and dated by (company):  Jace office does not concur with the delineation dated and dated by (company):  Jace office does not concur with the delineation dated and dated dated by (company):  Jace office does not concur with the delineation dated dated dated does not defentification (please specify): SOV, Acct# MVN-2006-4528-SK	
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):	
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commetree.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:	] 
Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.	 
For Not Asserting Jurisdiction: The reviewed area consists entirely of uplands. In the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). In the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). In Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:	H H L
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	
Aean High Water Mark indicated by:    survey to available datum;   physical markings;   vegetation lines/changes in vegetation types.	]
Defining the presence of litter and debris character of sector of terrestrial vegetation v	

The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent. Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers

LITE NUMBER: MVN-2007-166-SC DISTRICT OFFICE: New Orleans

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.  Waters defined under 33 CFR part 328.3(a) as "waters of the United States":	B. B.
OF JURISDICTIONAL DETERMINATION:	BASIS
There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.	
There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:	
Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:	
Preliminary JD - Based on available information, \(\top\) there appear to be (or) \(\top\) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).	
risdictional Determination (JD):	ıuÇ
DICTIONAL DETERMINATION  Site visit(s)  Date(s): 2-13-07	
CT LOCATION INFORMATION:  te: Louisiana ish: Calcasieu  nter coordinates of site (latitude/longitude): 30.3056138706, -93.172500883  proximate size of site (parcel) reviewed, including uplands: 3.83 acres.  me of nearest waterway:  me of watershed:	Sta Par Cei Apl Mai

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

This office concurs with the delineation report, dated , prepared by (company):	ATA0
Other (explain):	
Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:   Other (explain):	
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:	
Artificial reflecting or swimming pools or other small ornamental bodies of water created  by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.	
usis For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:	88 
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	
survey to available datum; Dhysical markings; Dyegetation lines/changes in vegetation types.	
nteral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank  the presence of litter and debris  changes in the character of soil  destruction of terrestrial vegetation  and estruction of terrestrial vegetation  other:	s.J

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers

LIFE NUMBER: MAN-2007-344-SC DISTRICT OFFICE: New Orleans

## -NOILVWGOZNI NOILVSO I LSZI OGG

ωM	isno) sbasi	te) are adjacent to Kincaid Re-	eservoir (oi	ion (applies to any boxes checked abovisite) and Bayou Boeuf is eated by constructing a dam in Bayou Bo	gable water of the
.8 	(1) The printerstate of (2) The printers (3) The printers (3) The printers (3) The printers (4) Impounum (4) Impounum (5) The printers (6) The	esence of waters, which are con foreign commerce, includin esence of interstate waters such as wetlands, sloughs, prairie pott in of which could affect interst inch are or could be used by in of which are or could be used by in manents of waters otherwise or seence of a tributary to a waters esence of a tributary to a waters of waters	currently ustently ustenching all wate necluding intrastate otholes, wet interstate or could but industrial et or could but industrial et or could it industrial et or could it.	lakes, rivers, streams (including intermis meadows, playa lakes, or natural ponds, rree including any such waters (check all foreign travelers for recreational or othe e taken and sold in interstate or foreign of waters of the US.	ride. reams), mudflats, e, degradation or oses. srce.
BASIS (	Waters do	nce of waters that are subject t	<b>329 as "nav</b> t to the ebb	igable waters of the United States": and flow of the tide and/or are presently interstate or foreign commerce.	ni have been used in
	reviewed a	area. Approximate size of juri are "isolated, non-navigable, i	urisdictional ; intra-state	ined by 33 CFR part 328 and associated area:  waters or wetlands" within the reviewed CC/Migratory Bird Rule Information Sh	
	the review	ved area. Approximate size of	of jurisdictio	•	
		JD – An approved JD is an ap that apply:	appealable	ction (Reference 33 CFR part 331).	
	United Sta			There appear to be (or) There appea fied States" on the project site. A prelim	
ınÇ	Ianoitoibei	Determination (JD):			
	mpleted:	L DETERMINATION Desktop determination Site visit(s)		Date: Date(s): 2-2-07	
Stat Pari Cen App	te: ish: oroximate si oroximate si	FION INFORMATION; Louisiana Rapides ates of site (latitude/longitude ize of area (parcel) reviewed, i st waterway: Lake Kincaid shed:		81-16-47.28N, 92-38-05.60W	

VIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  [laps, plans, plots or plat submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by the Corps.  This office does not concur with the delineation report, dated prepared by the Corps.  This office waters' studies:  S. Geological Survey 7.3 Minute Theoric quadrangles:  S. Geological Survey 7.5 Minute Theoric quadrangles:  S. Geological Survey 7.5 Minute Historic quadrangles:  S. Geological Survey 7.5 Minute Historic quadrangles:  S. Geological Survey 7.5 Minute Historic quadrangles:  S. Geological Survey 1.5 Minute H	
Don-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:	]
328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Matural Resources Conservation Service. Explain rationale:	
Artificial reflecting or swimming pools or other small ornamental bodies of water created  by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavation dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR	
Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.	_
For Not Asserting Jurisdiction: he reviewed area consists entirely of uplands. nable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). eadquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). he Corps has made a case-specific determination that the following waters present on the site are not Waters of the Inited States:	T U U U U U U U U U U U U U U U U U U U
Vetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:	M 🔯
lean High Water Mark indicated by:	
I Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  I clear, natural line impressed on the bank of clear, natural line impressed on the bank of changes in the character of soil changes in the character of soil of castruction of terrestrial vegetation of terrestrial vegetation of terrestrial vegetation of other:	0 🛛

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

U.S. Army Corps of Engineers **DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-954-SG PROJECT LOCATION INFORMATION: State: Louisiana Livingston Parish: Center coordinates of site (latitude/longitude): 30.3100 N / -90.6036 W Approximate size of area (parcel) reviewed, including uplands: acres. Name of nearest waterway: Name of watershed: JURISDICTIONAL DETERMINATION Date: 03/22/2007 Completed: Desktop determination Date(s): Site visit(s) Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands<sup>1</sup>. (2) The presence of interstate waters including interstate west as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas. (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Basis2 2

	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA F	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Agent Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 16 Minute Historic quadrangles:  U.S. Geological Survey 17 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 18 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 10 Minute His

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2006-4751-SC

### PROJECT LOCATION INFORMATION:

State:

Louisiana

Parish:

Cameron, Calcasieu, Jefferson Davis, Acadia & Evangeline

Center coordinates of site (latitude/longitude):

POB 29.7470536, -93.874512, POE 30.4609651, -92.4874483

Approximate size of area (parcel) reviewed, including uplands: 6,200 acres.

Name of nearest waterway: ICWW, Bayou Choupique, Calcasieu River, Coulee Hippolyte, Bayou Nezpique and others

Name of watershed:

### JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

	Da	te:

Date(s): 2-14-07

### Jurisdictional Determination (JD):

Preliminary JD - Based on available information, L there appear to be (or) L there appear to be no "waters of the
United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

■ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

### BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

	(-)
$\times$	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands<sup>1</sup>.

- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- $\bigcirc$  (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Sabine River, Sabine Lake, Big Forge Bayou, East Pass, Black Bayou, Burton Shell Slip, Black Bayou Cutoff and the Vinton Drainage Canal are potential Section 10/404 navigable waters of the U.S. Also, adjacent wetlands that are below the OHW of these waterways and tidal waters/wetlands are potential Section 10/404 waters of the U.S. (Galveston District). The Intracoastal Waterway, Bayou Choupique, Calcasieu River, Coulee Hippolyte and Bayou Nezpique are Section 10/404 navigable waters of the U.S. Also, adjacent wetlands that are below the OHW of these waterways and tidal waters/wetlands are Section 10/404 waters of the U.S. (NOD). Additionally, Black Bayou, W. Fork English Bayou, E. Fork English Bayou, E. Bayou Lacassine, Gum Gully, W. Bayou Grand Marais, Bayou Des Cannes, Bayou Barwick, Tiger Point Gulley and other tributaries are Section 404 waters of the U.S.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: Desktop JD - lateral extent undetermined on some water courses.  High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other: Desktop JD - lateral extent undetermined
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
×	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul> <li>Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>Other (explain):</li> </ul>
DATA F	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  State/Local wetland inventory maps:  TEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: Field site visit on a portion of the property on 2-14-07.  Applicable/supporting case law:  Other information (please specify):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

		JU		NAL DETERMINATION  ny Corps of Engineers	Revised 8/13/04	
	DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2006-805-SQ					
Stat Pari Cen	te: ish: iter coordi	ATION INFORMATION Louisiana Tanipahoa nates of site (latitude/longi	tude):	30.50195 N 90.52850 W		
Nar		size of area (parcel) reviev est waterway: ershed:	ved, including	g uplands: 8 acres.		
		AL DETERMINATION Desktop determination Site visit(s)	**	Date: Date(s): 03/21/2007		
Jur	isdictiona	l Determination (JD):				
<u> </u>	United S				there appear to be no "waters of the e. A preliminary JD is not appealable	
<b>※</b>	• •	d JD – An approved JD is I that apply:	an appealable	action (Reference 33 CFR par	rt 331).	
		e are "navigable waters of wed area. Approximate size			art 329 and associated guidance) within	
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:				d associated guidance) within the	
	There			te waters or wetlands" within NCC/Migratory Bird Rule Info	the reviewed area.  ormation Sheet for Determination of No	
	Waters of	ence of waters that are sub	rt 329 as "na ject to the ebb	vigable waters of the United o and flow of the tide and/or ar nt interstate or foreign commen	e presently used, or have been used in	
В.	(1) The printerstate (2) The p	oresence of waters, which a e or foreign commerce, incorresence of interstate water	are currently u luding all wat is including in	ers which are subject to the eb	or may be susceptible to use in b and flow of the tide.	
	sandflats destructi (i) v (ii) v (iii)	wetlands, sloughs, prairie on of which could affect in which are or could be used from which fish or shellfisl which are or could be used	e potholes, we sterstate comm by interstate of h are or could d for industria	et meadows, playa lakes, or nat nerce including any such water or foreign travelers for recreati be taken and sold in interstate il purposes by industries in inte	onal or other purposes.	
X	(5) The p (6) The p	nundments of waters otherworesence of a tributary to a presence of territorial seas.	water identifi	ed in (1) – (4) above.	ose wetlands adjacent to other wetlands.	
		•		•	•	
Rat				ation (applies to any boxes character (onsite) of the	Yellow Water River, navigable in its	
k	ower reach		con to the ulli	mines trioutary (onsite) of the	. ene race rare, navigacie in its	
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2006-805Basis 2

	Ordinary High Water Mark indicated by:  I clear, natural line impressed on the bank I the presence of litter and debris Changes in the character of soil A destruction of terrestrial vegetation Shelving Ordinary High Water Mark indicated by: High Tide Line indicated by: Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
×	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
DATA I	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  State/Local wetland inventory maps:  (NGVD)  Aerial Photographs (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Date): Consultant photos dated 01/12/2006  Advanced Identification Wetland maps:  Site visit/determination conducted on: 03/20/2007  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

		MVN-2007-594-SC		
Sta Par Cer App Nar	te: ish: nter coordi proximate	ATION INFORMATION: Louisiana Iberville inates of site (latitude/longitusize of area (parcel) reviewerest waterway: Wilbert Canaershed:	d, including	POB 30.31965, -91.245750, POE 30.2452465, -91.3109260 g uplands: acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 3-19-07 Date(s):
Jui	isdictiona	al Determination (JD):		
	United S			there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
$\boxtimes$		ed JD – An approved JD is a ll that apply:	n appealable	e action (Reference 33 CFR part 331).
		re are "navigable waters of the ewed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		re are "waters of the United S d area. Approximate size of		defined by 33 CFR part 328 and associated guidance) within the al area:
	There			e waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No.
	Waters The pres	sence of waters that are subje	t 329 as "na ect to the ebl	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
В.	(1) The printerstate (2) The printerstate (3) The printerstate printer	presence of waters, which are or foreign commerce, inclupresence of interstate waters presence of other waters suchs, wetlands, sloughs, prairie ion of which could affect intwhich are or could be used b from which fish or shellfish	e currently adding all war including in h as intrasta potholes, we erstate commy interstate are or could	used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide.  Interstate wetlands.  It lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply):  or foreign travelers for recreational or other purposes. It be taken and sold in interstate or foreign commerce.  all purposes by industries in interstate commerce.

## (4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

## Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands onsite are adjacent to Plaquemine Bayou and the GIWW, both navigable waters of the Ú.S. Also, tributaries onsite are part of the tributary system of these navigable waterways.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: Desktop JD, lateral extent undetermined □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA F	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 19 Minute Historic quadrangles:  U.S. Geological Survey 10 Min

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers **DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-770-SG PROJECT LOCATION INFORMATION: State: Louisiana Parish: Pointe Coupee Center coordinates of site (latitude/longitude): 30.7287 N / -91.4783 Approximate size of area (parcel) reviewed, including uplands: 5.96 acres. Name of nearest waterway: Name of watershed: JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: 03/21/2007 Site visit(s) Date(s): Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BAS

SIS C	OF JURISDICTIONAL DETERMINATION:
A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in
	the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":
	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
	(2) The presence of interstate waters including interstate wetlands <sup>1</sup> .
	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats,
	sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or
	destruction of which could affect interstate commerce including any such waters (check all that apply):
	(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
	(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
	(iii) which are or could be used for industrial purposes by industries in interstate commerce.
100	(4) Impoundments of waters otherwise defined as waters of the US.
100	(5) The presence of a tributary to a water identified in (1) – (4) above.
100	(6) The presence of territorial seas.
100	(7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Basis2

Lat	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)					
	Ordinary High Water Mark indicated by:  High Tide Line indicated by:					
	clear, natural line impressed on the bank oil or scum line along shore objects					
	the presence of litter and debris fine shell or debris deposits (foreshore)					
	changes in the character of soil physical markings/characteristics					
	destruction of terrestrial vegetation					
	shelving other:					
	other:					
-	Moon High Wotan Maul, indicated hou					
100	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.					
	Survey to available datum, [ ] physical markings, [ ] vegetation fines/changes in vegetation types.					
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:					
_	, I was a second space of space of					
E-1	is For Not Asserting Jurisdiction:					
$\boxtimes$	The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).					
-	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).					
	The Corps has made a case-specific determination that the following waters present on the site are not Waters of the					
	United States:					
	Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.					
	Artificially irrigated areas, which would revert to upland if the irrigation ceased.					
	Artificial lakes and ponds created by excavating and/or diking dry land to collect and					
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or					
	rice growing.					
	Artificial reflecting or swimming pools or other small ornamental bodies of water created					
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.					
	Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for					
	the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR					
	328.3(a).					
	Isolated, intrastate wetland with no nexus to interstate commerce.					
	Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:					
	No dilitation and all designs and a deal Food and advantage					
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):					
	Other (explain):					
DATA F	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):					
$\boxtimes$	Maps, plans, plots or plat submitted by or on behalf of the applicant.					
	Data sheets prepared/submitted by or on behalf of the applicant.					
	This office concurs with the delineation report, dated , prepared by (company):					
	This office does not concur with the delineation report, dated , prepared by (company):					
	Data sheets prepared by the Corps. Corps' navigable waters' studies:					
	U.S. Geological Survey Hydrologic Atlas:					
X	U.S. Geological Survey 7.5 Minute Topographic maps:					
	U.S. Geological Survey 7.5 Minute Historic quadrangles:					
	U.S. Geological Survey 15 Minute Historic quadrangles:					
$\boxtimes$	USDA Natural Resources Conservation Service Soil Survey:					
	National wetlands inventory maps:					
	State/Local wetland inventory maps:					
	FEMA/FIRM maps (Map Name & Date):					
	100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995 IR, 1998 IR, 2004 IR					
	Other photographs (Date): 1993 IK, 1998 IK, 2004 IK					
	Advanced Identification Wetland maps:					
	Site visit/determination conducted on:					
	Applicable/supporting case law:					
	Other information (please specify):					

2

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFI	CE: New Orleans
FILE NUMBER:	MVN-2007-1101-SD

Stat Pari Cen App Nan	e: ish: iter coordir oroximate s	TION INFORMATION: Louisiana Allen nates of site (latitude/longitud size of area (parcel) reviewed est waterway: rshed:	le): , including	30 30 2.1 / -92 43 53.2 guplands: 2.066 acres.
		AL DETERMINATION Desktop determination Site visit(s)		Date: 03/20/2007 Date(s):
Jur	isdictional	I Determination (JD):		
	United St	ary JD - Based on available in tates" and/or "navigable wate ce 33 CFR part 331).	nformation rs of the U	, \( \subseteq \text{ there appear to be (or) } \subseteq  there appear to be no "waters of the Inited States" on the project site. A preliminary JD is not appealable
×		d JD - An approved JD is an I that apply:	appealable	e action (Reference 33 CFR part 331).
		e are "navigable waters of the wed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
		are "waters of the United St area. Approximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:
	☐ There			ate waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
	Waters of The prese	ence of waters that are subjec	329 as "na t to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.
B.	(1) The p interstate (2) The p (3) The p sandflats, destruction (i) w (iii) f (iii) (4) Import (5) The p (7) The p	presence of waters, which are or foreign commerce, include presence of interstate waters in presence of other waters such, wetlands, sloughs, prairie proportion of which could affect intervhich are or could be used by from which fish or shellfish a which are or could be used foundments of waters otherwise presence of a tributary to a water sence of territorial seas.	currently using all was necluding in as intrasta otholes, we state comminterstate or could be industriate defined a ster identification other was a state of the country of	te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce. It purposes by industries in interstate commerce. Its waters of the US.
V	Wetlands ar	re adjacent to an unnamed trib	outary of E	

Lat	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:    Clear, natural line impressed on the bank   Oil or scum line along shore objects   fine shell or debris deposits (foreshore)   physical markings/characteristics   destruction of terrestrial vegetation   Did gages   other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul> <li>Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>Other (explain):</li> </ul>
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. According to the Historic quadrangles:  U.S. According to t
	State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): 1995, 1998 & 2004 Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-197-SC

## PROJECT LOCATION INFORMATION:

State:

Louisiana

Parish:

Acadia

Center coordinates of site (latitude/longitude):

POB 30.458082, POB -92.525846, POE 30.461351, POE -92.487548

Approximate size of area (parcel) reviewed, including uplands:

Name of nearest waterway: Bayou des Cannes

Name of watershed:

### JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

Date:

Date(s): 2-14-07

#### Jurisdictional Determination (JD):

Preliminary JD - Based on available information, T there appear to be (or) there appear to be no "waters of the
United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

### BASIS OF JURISDICTIONAL DETERMINATION:

13

A	Waters defined	l under 22 CED no	art 329 as "navigabl	a suntara of the	Ilmitad States?

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

### B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands<sup>1</sup>.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) - (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands (onsite) are adjacent to Bayou des Cannes (onsite) and its tributaries (onsite). Bayou des Cannes is a navigable water of the U.S. in its lower reaches.

ordinary High Water Mark indicated by:  □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ other: □ other: □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other:
Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
<ul> <li>□ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>□ Other (explain):</li> </ul>
REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. A Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 1998 & 2004  Other photographs (Date): Consultant's field report photos dated 7-20-06.  Advanced Identification Wetland maps:  Site visit/determination conducted on: 2-14-07  Applicable/supporting case law:

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-973-SG

S F C A	PROJECT LOCATION INFORMATION:  State: Louisiana  Parish: St. Tammany  Center coordinates of site (latitude/longitude): 30.42979 N / -90.10138 W  Approximate size of area (parcel) reviewed, including uplands: acres.  Name of nearest waterway: Bayou Monga  Name of watershed:				
		ICTIONAL DETER ipleted: Desktop of Site visit(	determination		Date: Date(s): 03/08/2007
j	luri	sdictional Determin	nation (JD):		
		Preliminary JD - Ba	ased on available in or "navigable water		, there appear to be (or) there appear to be no "waters of the nited States" on the project site. A preliminary JD is not appealable
5	X	Approved JD - An Check all that apply		ppealable	action (Reference 33 CFR part 331).
		There are "navigue the reviewed area.			ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
		There are "watereviewed area. App			defined by 33 CFR part 328 and associated guidance) within the al area:
		There are "isolo			te waters or wetlands" within the reviewed area.  NCC/Migratory Bird Rule Information Sheet for Determination of No
A	۸.	The presence of war	der 33 CFR part 3 ters that are subject	29 as "na to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in art interstate or foreign commerce.
	3.	(1) The presence of interstate or foreign (2) The presence of (3) The presence of sandflats, wetlands, destruction of whic (i) which are o (ii) from which	waters, which are of a commerce, including interstate waters in fother waters such a sloughs, prairie point he could affect inters or could be used by in fish or shellfish ar	currently ung all wat cluding in as intrastat tholes, we state community and could be considered as a could be considered.	s "waters of the United States":  used, or were used in the past, or may be susceptible to use in  users which are subject to the ebb and flow of the tide.  uterstate wetlands.  te lakes, rivers, streams (including intermittent streams), mudflats,  te meadows, playa lakes, or natural ponds, the use, degradation or  unerce including any such waters (check all that apply):  or foreign travelers for recreational or other purposes.  I be taken and sold in interstate or foreign commerce.  If purposes by industries in interstate commerce.
		(4) Impoundments (5) The presence of (6) The presence of	of waters otherwise a tributary to a wat territorial seas.	defined a er identifi	
ı	Rat	ionale for the Basis	of Jurisdictional I	Determina	ation (applies to any boxes checked above).
		ayou Monga is tidal			

Basis2 2

Lat	Ordinary High Water Mark indicated by:  I clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  I change Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  I High Tide Line indicated by:  Oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
$\boxtimes$	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA I	Other (explain):  REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans **FILE NUMBER:** MVN-2006-4943-SC

PRC		CT LOCATION INFORMATION:	
	State		
	Paris		
			Approx. center of property, 30.178313, -93.330466
		proximate size of area (parcel) reviewed, including to	
		me of nearest waterway: Calcasieu River & Prien La	ke
	Nam	me of watershed:	
THE	ารทา	DICTIONAL DETERMINATION	
001			Date: 3-14-07
	Com	-	
		Site visit(s)	Date(s):
	Juri	risdictional Determination (JD):	
		Preliminary JD - Based on available information, [	there appear to be (or) there appear to be no "waters of the
			ited States" on the project site. A preliminary JD is not appealable
	X	Approved JD – An approved JD is an appealable a Check all that apply:	ction (Reference 33 CFR part 331).
		and the same of th	
		There are "navigable waters of the United State the reviewed area. Approximate size of jurisdiction	es" (as defined by 33 CFR part 329 and associated guidance) within nal area:
		☑ There are "waters of the United States" (as def reviewed area. Approximate size of jurisdictional area.  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewed area.)  ☐ There are "waters of the United States" (as def reviewe	fined by 33 CFR part 328 and associated guidance) within the area:
		There are "isolated, non-navigable, intra-state v  Decision supported by SWAN  Jurisdiction.	waters or wetlands" within the reviewed area. CC/Migratory Bird Rule Information Sheet for Determination of No.
RAS	is o	OF JURISDICTIONAL DETERMINATION:	
DAD		Waters defined under 33 CFR part 329 as "nav	igable waters of the United States":
			and flow of the tide and/or are presently used, or have been used in
	B.	Waters defined under 33 CFR part 328.3(a) as	'waters of the United States":
			ed, or were used in the past, or may be susceptible to use in
			s which are subject to the ebb and flow of the tide.
		(2) The presence of interstate waters including inte	
			lakes, rivers, streams (including intermittent streams), mudflats,
	_		meadows, playa lakes, or natural ponds, the use, degradation or
			rce including any such waters (check all that apply):
			foreign travelers for recreational or other purposes.
		(ii) from which fish or shellfish are or could b	e taken and sold in interstate or foreign commerce.
		(iii) which are or could be used for industrial	purposes by industries in interstate commerce.
		(4) Impoundments of waters otherwise defined as	
	$\boxtimes$	(5) The presence of a tributary to a water identified	in (1) – (4) above.
		(6) The presence of territorial seas.	
	$\boxtimes$	(7) The presence of wetlands adjacent <sup>2</sup> to other wa	ters of the US, except for those wetlands adjacent to other wetlands.
	D-4!	tionals for the Pasis of Inviditional Detartions	ion (applies to any house shooked should
		tionale for the Basis of Jurisdictional Determinationals (consite) are adjacent to the Calcasieu River (considered).	on (applies to any boxes checked above).  onsite), Prien Lake (onsite) and their tributaries (onsite). The

Calcasieu River and Prien Lake are tidal, navigable waters of the U.S.

ral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other: Desktop JD - Lateral extent undetermined
Mean High Water Mark indicated by:  survey to available datum; physical markings; vegetation lines/changes in vegetation types.  Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:  Other (explain):
Applicants or plat submitted by or on behalf of the applicant.  Applicants or plat submitted by or on behalf of the applicant.  Applicants office concurs with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  This office does not concur with the delineation report, dated prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  J.S. Geological Survey Hydrologic Atlas:  J.S. Geological Survey 7.5 Minute Topographic maps:  J.S. Geological Survey 7.5 Minute Historic quadrangles:  J.S. Geological Survey 15 Minute Historic quadrangles:  J.S. Geological Survey 16 Minute Historic quadrangles:  J.S. Geological Survey 16 Minute Historic quadrangles:  J.S. Geological Survey 16 Minute His

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

# JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

**DISTRICT OFFICE:** New Orleans FILE NUMBER: MVN-2007-953-SG

Stat Pari Cen App Nan	
	ICTIONAL DETERMINATION  Inpleted: Desktop determination
Jur	sdictional Determination (JD):
	Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
$\boxtimes$	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.  Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.
A.	Waters defined under 33 CFR part 329 as "navigable waters of the United States":  The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
В.	Waters defined under 33 CFR part 328.3(a) as "waters of the United States":  (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.  (2) The presence of interstate waters including interstate wetlands.  (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):  (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.  (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.  (iii) which are or could be used for industrial purposes by industries in interstate commerce.  (4) Impoundments of waters otherwise defined as waters of the US.  (5) The presence of a tributary to a water identified in (1) – (4) above.  (6) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.
Rat	ionale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Basis2

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)  Ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by:  oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:  Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
DATA R	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):  Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 7.5 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  USDA Natural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 1995 IR, 1998 IR, 2004 IR  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on: 03/15/2007  Applicable/supporting case law:  Other information (please specify):

2

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

	FICE: New Orleans R: MVN 2007-578-SQ		
State: Parish: Center coo Approxima	rdinates of site (latitude/longitude): ate size of area (parcel) reviewed, includin earest waterway:	 93.28517 W acres.	

JURISDICTIONAL	DETERMINATION

Completed: Desktop determination Site visit(s)

Date: 03/19/2007

Date(s):

Jurisdictional	Determination (	(JD)	)
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100	Preliminary JD - Based on available information, I there appear to be (or) I there appear to be no "waters of the
	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

### BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United State	tates	St	a	nite	U	the	ot	S	ters	wat	ue	gab	navi	as	<b>32</b> 9	ſι.	par	'K	CF	33	er	und	mea	defi	waters	А.
--	-------	----	---	------	---	-----	----	---	------	-----	----	-----	------	----	-------------	-----	-----	----	----	----	----	-----	-----	------	--------	----

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

### B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands<sup>1</sup>.

- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent<sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.

### Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands on the property and within 1000 feet are adjacent to Palmetto Creek and its tributaries, part of the tributary system of the Calcasieu River, a navigable water.

2007-578Basis 2

Lat	ordinary High Water Mark indicated by:  clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation shelving other:  High Tide Line indicated by: oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics tidal gages other:
	Mean High Water Mark indicated by:  ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
23	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	is For Not Asserting Jurisdiction:  The reviewed area consists entirely of uplands.  Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).  Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).  The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:  Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.  Artificially irrigated areas, which would revert to upland if the irrigation ceased.  Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.  Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.  Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).  Isolated, intrastate wetland with no nexus to interstate commerce.  Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	<ul> <li>Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:</li> <li>Other (explain):</li> </ul>
DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant.  Data sheets prepared/submitted by or on behalf of the applicant.  This office concurs with the delineation report, dated , prepared by (company):  This office does not concur with the delineation report, dated , prepared by (company):  Data sheets prepared by the Corps.  Corps' navigable waters' studies:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey Hydrologic Atlas:  U.S. Geological Survey 7.5 Minute Topographic maps:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Geological Survey 15 Minute Historic quadrangles:  U.S. Autural Resources Conservation Service Soil Survey:  National wetlands inventory maps:  State/Local wetland inventory maps:  FEMA/FIRM maps (Map Name & Date):  100-year Floodplain Elevation is: (NGVD)  Aerial Photographs (Name & Date): 1995 IR, 1998 IR, 2004 IR  Other photographs (Date):  Advanced Identification Wetland maps:  Site visit/determination conducted on:  Applicable/supporting case law:  Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

		NAL DETERMINATION ny Corps of Engineers	Revised 8/13/04						
DISTRICT OFFI FILE NUMBER:	CE: New Orleans MVN 2006-3574-SQ								
State: Parish: Center coordi Approximate	ATION INFORMATION:  Louisiana  East Baton Rouge inates of site (latitude/longitude): size of area (parcel) reviewed, including rest waterway: ershed:	30.47413 N 91.19039 W g uplands: acres.							
	AL DETERMINATION  Desktop determination  Site visit(s)	Date: 03/16/2007 Date(s):							
Jurisdictiona	al Determination (JD):								
Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).									
	Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:								
	There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:								
	There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:								
<b>■</b> There		ate waters or wetlands" within the reviewed a NCC/Migratory Bird Rule Information Sheet							
A. Waters The pres		avigable waters of the United States": b and flow of the tide and/or are presently us ort interstate or foreign commerce.	ed, or have been used in						
(1) The pinterstate (2) The pinterstate (3) The pinterstate (3) The pinterstate destructi (i) v (ii) (ii)	e or foreign commerce, including all war presence of interstate waters including in presence of other waters such as intrasta s, wetlands, sloughs, prairie potholes, we ion of which could affect interstate commended which are or could be used by interstate from which fish or shellfish are or could	used, or were used in the past, or may be sus ters which are subject to the ebb and flow of	the tide.  ent streams), mudflats, ne use, degradation or hat apply): purposes. entered						

(4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas.
(7) The presence of wetlands adjacent <sup>2</sup> to other waters of the US, except for those wetlands adjacent to other wetlands.
Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

2006-3574Basis 2

Lat			on: (Reference: 33 CFR p		,	
		ry High Water Ma	•	I I	High	h Tide Line indicated by:
		lear, natural line in the presence of litte	mpressed on the bank		H	oil or scum line along shore objects fine shell or debris deposits (foreshore)
		hanges in the char			H	physical markings/characteristics
		estruction of terre			Ħ	tidal gages
		helving	<b>0</b>			other:
	□ 0	ther:				
. :		High Water Mark vey to available d		ngs;  vegetat	ion	lines/changes in vegetation types.
- 	Wetlar	nd boundaries, as	shown on the attached we	tland delineation	on m	nap and/or in a delineation report prepared by:
		Not Asserting Jur				
$\cong$			sts entirely of uplands. resence of waters in 33 CF	ED mant 229/a\/	1 2	0.74.7)
			approve jurisdiction on t			
	The Co	orps has made a ca				g waters present on the site are not Waters of the
	United	States: Waste treatment	systems, including treatm	ent ponds or la	gooi	ons, pursuant to 33 CFR part 328.3.
		Artificially irriga	ited areas, which would re	evert to upland	if th	ne irrigation ceased.
			nd ponds created by excav			
		retain water and rice growing.	which are used exclusivel	y for such purp	oses	es as stock watering, irrigation, settling basins, or
			ng or swimming pools or	other small orr	name	ental bodies of water created
		by excavating an	d/or diking dry land to ret	tain water for p	rima	arily aesthetic reasons.
		the purpose of ob	otaining fill, sand, or grave	el unless and u	ntil t	astruction activity and pits excavated in dry land for the construction or excavation operation is on of waters of the United States found at 33 CFR
	$\Box$		te wetland with no nexus t	to interstate co	mme	erce.
						urces Conservation Service. Explain rationale:
		Non-tidal drainag Other (explain):	ge or irrigation ditches exc	cavated on dry	land	d. Explain rationale:
DATA F	REVIEV	WED FOR JURIS	SDICTIONAL DETERM	MINATION (r	narl	k all that apply):
<u>×</u>	Maps,	plans, plots or pla	t submitted by or on beha	If of the applic		
蒸			omitted by or on behalf of			
	∐ Th	nis office concurs	with the delineation repor	t, dated ,	pre	epared by (company): , prepared by (company):
200	Data sh	heets prepared by	the Corps.	on report, dated	,	, prepared by (company).
100		navigable waters				
100		eological Survey				
$\boxtimes$			7.5 Minute Topographic n			
B100			7.5 Minute Historic quadr 15 Minute Historic quadra			
			es Conservation Service So			
<b>P</b>		al wetlands invent		<b>,</b>		
188		ocal wetland inve				
		/FIRM maps (Ma ar Floodplain Ele				
			vation is: (NGVD) ne & Date): 1995 IR, 1998			
		photographs (Date		, =		
		ced Identification				
1000 E		sit/determination of able/supporting ca				
		information (pleas				

<sup>&</sup>lt;sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

<sup>&</sup>lt;sup>2</sup>The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.